



Denis Lemon, addressing a Gay Pride rally in Trafalgar Square, 1975.

the love

In the United States, July 4th is an important date for citizens. For me, July 4th is a memorable anniversary too, but for very different reasons; fifteen years ago, it was the first day of my trial at the Old Bailey on a charge of blasphemous libel.

It occurs to me, however, that while I experience a host of reactions triggered by that particular date, for a great many people — in fact, a whole new generation of lesbians and gay men — the *Gay News* blasphemy trial is probably no more than one of those gay rights battles from the distant past, if, indeed, the events of fifteen years ago mean anything at all.

Gay News may not mean that much either to anyone who is thirtysomething or younger. The newspaper ceased publication almost ten years ago (although the title reappeared before ending up as part of *Gay Times*). For the ten years preceding its demise, *GN* had attempted to play its part in the gay community of Britain, being a fortnightly newspaper providing news and information, plus a voice for the opinions and experiences of lesbians and gay men who otherwise would have been largely ignored or vilified. Founded twenty years ago by Andrew Lumsden and myself, the paper was first published in June 1972. Andrew came from a professional journalistic background; mine was a 'fading hippy' one. I had had more than a few friends in what was quaintly called the 'underground press' and presumed to have learned enough from them to give me the enthusiasm and impertinence to consider such a publishing venture not only viable but necessary. In due course, I became *GN*'s editor and publisher.

Of the major publishing enterprises to emerge from the sixties 'underground', only *Time Out* remains today. *International Times* and *OZ*, both gloriously provocative disseminators of youthful rebellion and fun, who promoted 'alternative' viewpoints and encouraged greater political awareness, have long since been silenced, victims of vicious prosecutions that resulted in financial instability and the exhaustion of those who had been dragged through the courts. We naively consider free speech and a free press as bastions of our society, but that's true only if you have enough monetary clout and the establishment likes your tone of voice.

International Times' 'crime' was to 'conspire to corrupt public morals' by publishing personal contact advertisements for gay men; *GN*, in defiance of the law, did the same. In my view, it was an underlying reason for starting *GN* in the first place. *OZ* had the temerity to 'shock and outrage', so 'obscenity'



Denis Lemon being interviewed by a BBC Television news team after the House of Lords blasphemy trial appeal was rejected, 1979

charges took its editors, including the openly gay Jim Anderson, to the Old Bailey and to prison for a while.

Nowadays we take for granted the gay personal ads which abundantly appear in both gay and non-gay publications. In *GN*'s time it was assumed that the paper was vulnerable to prosecution because of this aspect of its editorial policy. 'Obscenity', too, was another dangerous area; *GN* openly and proudly discussed and celebrated lesbian and gay sexuality. A risky business in those days; it remains so today. As it happened, after a number of minor legal tussles, it turned out to be the resuscitation of an antiquated law that most people had forgotten still existed that took *GN* and myself to the Central Criminal Courts.

In June 1976, I published in *Gay News* (Number 96) a poem entitled 'The love that dares to speak its name' by James Kirkup, a distinguished poet, autobiographer and literary academic. The poem dealt with a gay man's conversion to Christianity, and, metaphorically, attributed homosexual acts to Jesus Christ. Shocking, eccentric, graphically outspoken (and probably not a work of great literature), the poem to me — and I hoped to those who bothered to read it — said something meaningful, at the very least, thought-provoking. For too long gay men and lesbians had suffered from the homophobic hostility of large sections of the religious establishments. By contrast, I thought the message and intention of the poem was to celebrate the absolute universality of God's love, even if in doing so Professor Kirkup used sexual explicitness in his imagery. Unlike straightforward prose, poetry is open to interpretation, it does not necessarily have to be taken literally. It can contain great truths for some, for others it is meaningless.

For Mary Whitehouse, when she read 'The love that dares to speak its name', there was only one possible interpretation of the poem.

It was 'blasphemous'. Morality and decency were under threat from dark forces. The very fabric of the nation was at risk. God needed protection from my choice in verse and Mrs Whitehouse was going to see that He got it. This necessitated initiating a criminal prosecution for 'blasphemous libel' and, after failing to have the proceedings disallowed, on Monday, July 4th 1977, *Gay* ▶

that dared to speak its name

FIFTEEN YEARS ON, DENIS LEMON REFLECTS ON HIS TRIAL FOR BLASPHEMOUS LIBEL

► News and myself found ourselves in the dock.

Statute Law (laws made in Parliament) such as the charges for 'conspiracy to corrupt' or 'obscenity' allow the defence to call expert witnesses. Not so with the Common Law 'offence' of 'blasphemy'. Because of the obscurity of the charge, my lawyers (including John 'Rumpole' Mortimer) wished the jury to be assisted by hearing interpretations of the poem other than those offered by the prosecution. Expert witnesses would have spoken on the literary, sociological and even theological merits of the work, but the judge's strict and absolutely rigid interpretation of the law excluded such testimony; the defence of publication in the 'public good' was also inadmissible. In other words, we were effectively gagged with no realistic defence available to us; intentions and literary worth judged irrelevant. Despite my lawyers best endeavours, including a magnificent closing speech by Mortimer and sterling performances from Margaret Drabble and Bernard Levin who acted as character witnesses for myself and *Gay News*, by a majority verdict of 10-2 the jury found us guilty.

I was fined £500 and told by the judge that by 'unlawfully and wickedly' publishing the poem it had been 'touch and go' whether I immediately went to prison but that instead he was generously giving me a nine month sentence suspended for eighteen months. *Gay News Ltd* was fined £1000 and ordered to pay its own very high defence costs. My costs were covered by legal aid. The prosecution costs were paid out of public funds. Wisely, we had established a defence fund, which, due to wide support, had raised in excess of £20,000 (plus accrued interest), so that the foreseeable future of *GN* was secure.

The guilty verdict though was not the end of the matter. We had *lost* the battle at the Old Bailey, but in the opinion of much of the media, in liberal, artistic and religious circles and, more importantly, in the view of a great many of the general public, we had *won* the war. The amount of support we received prior, during and after the trial was enormous and *GN* went on to become a well-known, firmly-established and critically successful newspaper for many years, serving an extremely loyal readership as well as being an informative publication for friendly non-gays. Hearings at the Court of Appeal and House of Lords were sadly ineffective apart from the Court of Appeal quashing my suspended prison sentence. An appeal to the European Human Rights Court was not accepted. It still worries me how much the whole affair cost in money, time and effort — but I will always be grateful for the generosity and encouragement of so many people of *all* sexualities who were determined that whatever the outcome of the case, *GN* would survive the onslaught from Whitehouse and the courts.

Since the *GN* case, Mrs Whitehouse has continued to pursue other much-publicised crusades on behalf of God and the 'family-next-door', perhaps most noticeably with her prosecution in 1980 of Michael Bogdanov, the director of the National Theatre production of Howard Brenton's play *The Romans in Britain*. Here she failed. And despite receiving official approval for her campaigns from Margaret Thatcher, Whitehouse eventually lost all credibility with a public she increasingly found herself out of step with.

The *GN* trial, no doubt, will become an obscure historical footnote, keeping company with the blasphemy prosecutions of Tom Paine's *The Age of Reason* and Shelley's early poem 'Queen Mab', but the impact of the outcome has had ramifications in more recent times. Whitehouse and her ilk tried to use the blasphemy laws to suppress Monty Python's *The Life of Brian* and

PHOTOGRAPH: BOB WORKMAN



Denis Lemon, and Gay News' News Editor Michael Mason, leaving the House of Lords after the blasphemy trial appeal was rejected, 1979.

the result that when some leading figures in the Muslim hierarchy in Britain discovered they could not bring a charge of blasphemy against *The Satanic Verses*, they immediately demanded, not unreasonably from their position, that the law of blasphemy be broadened to include Islam.

Obviously, resurrecting and expanding a discredited and archaic law would have been a ludicrous solution to the Rushdie affair. It was quite simply a free speech issue, whether or not Muslims wished to see it that way. It matters not a jot that I found Rushdie's book a most arduous and unsatisfying tome to wade through (which I had to do prior to appearing on a television programme about blasphemy). Never-the-less, I am a 'devout' supporter of the author, his work and his right to publish. The death threat that he faces is unacceptable, as are the views of those who condone and are unapologetic about such a vile proposal and who subsequently cause the curtailment of Rushdie's freedom to live his life without fear of murder. As a significant act of solidarity with the novelist and his predicament, the charge of blasphemy should be repealed once and for all before further mischief can be done by its continued existence.

Freedom of speech and the right to publish are very precious liberties. There is a long and noble tradition in this country to obtain and exert such freedoms and they have been won at considerable cost. Certainly, existing laws against racism and other forms of discrimination and incitement should be strengthened. And, not least, acceptable legal protection for lesbians and gay men against prejudice and bigoted ignorance should be created.

In conclusion, the decision to publish 'The love that dares to speak its name' may seem to some ill-considered and an act of monumental folly. Others may applaud the right to publish in good faith. Whatever the consequences, I remain adamant in my demand, as a basic liberty, for the freedom to express myself or the views and literary creations of others in the ways available to me. Since 1977, a lot has happened that puts the blasphemy trial into perspective: the advent of HIV/Aids, Clause 28, the Gay's the Word fiasco, increased violence and persecution, plus many more gay rights issues have emerged. These matters should have intensified our struggle. However, the basic issues remain true today as they did in the past. Freedom of speech remains of paramount importance; I do not care what sensibilities were ruffled, I remain unrepentant about publishing Kirkup's poem. And, most certainly, God — whether Christian, Muslim, or whatever — does not need the criminal law rushing to the rescue. My only regret is that you cannot read 'The love that dares to speak its name' and make your own judgements.

Martin Scorsese's *The Last Temptation of Christ*. But the shrill voices calling for legal action and censure against these films were ignored. More significant has been the renewed interest in blasphemy because of Salman Rushdie's *The Satanic Verses*.

In the mid-Eighties, a Law Commission report recommended that the offence of blasphemy should be reworked as it was not only obsolete at the end of the 20th century but was unfair and unsafe in the multi-faith Britain of today. Only the Church of England is 'protected' by the law and the report strongly argued against any consideration of it being extended to include other religions and faiths. Existing legislation, such as the laws relating to obscenity, racism and public disorder, was adequate enough protection to safeguard public decency and religious freedom. The report's findings were ignored by the government of the day, with